

Message Text

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FM SECSTATE WASHDC

TO AMEMBASSY VIENNA

UNCLAS STATE 210806

FOR ARTHUR W. ROVINE, USDEL TO SUCCESSION OF STATES CONFERENCE

E.O. 11652:N/A

TAGS: PFOR

SUBJECT: L/T MATTERS

1. FOLLOWING IS THE FIRST REPORTABLE DRAFT OF THE SENATE
HOUSE CONFERENCE COMMITTEE REPORT ON AMENDMENTS TO THE
CASE-ZABLOCKI ACT:

2. THE SENATE AMENDMENT AMENDED THE CASE-ZABLOCKI ACT BY
(1) REQUIRING THAT ORAL AGREEMENTS BE REDUCED TO WRITING
AND SUBMITTED TO CONGRESS; (2) REQUIRING A WRITTEN REPORT
SIGNED BY THE PRESIDENT WITH RESPECT TO ALL AGREEMENTS
TRANSMITTED AFTER THE 60-DAY PERIOD STIPULATED IN THE CASE-
ZABLOCKI ACT; (3) FORBIDDING THE SIGNING OF ANY INTERNATIONAL
AGREEMENT WITHOUT THE PRIOR APPROVAL OF THE SECRETARY OF
STATE OR THE PRESIDENT; (4) STIPULATING THAT THE SECRETARY
OF STATE SHALL DETERMINE FOR THE EXECUTIVE BRANCH, WHETHER
AN ARRANGEMENT CONSTITUTES AN INTERNATIONAL AGREEMENT WITHIN
THE MEANING OF THE CASE-ZABLOCKI ACT; AND (5) REQUIRING THE
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PRESIDENT, THROUGH THE SECRETARY OF STATE, TO PROMULGATE
SUCH RULES AND REGULATIONS AS MAY BE NECESSARY TO CARRY
OUT THE PRECEDING PROVISIONS.

3. THE HOUSE BILL DID NOT CONTAIN A COMPARABLE PROVISION.

4. THE COMMITTEE OF CONFERENCE AGREED TO A SUBSTITUTE AS
FOLLOWS:

5. THE CONFERENCE SUBSTITUTE ADDS THE WORD "INTERNATIONAL" TO PROVISION DESCRIBED IN (1) ABOVE. AS A RESULT, THE AMENDMENT TO THE EXISTING STATUTE AFFECTED NOW READS I"(INCLUDING THE TEXT OF ANY ORAL INTERNATIONAL AGREEMENT, WHICH SHALL BE REDUCED TO WRITING)". IT IS THE UNDERSTANDING OF THE COMMITTEE OF CONFERENCE THAT IT IS CURRENTLY THE ADMINISTRATIVE PRACTICE OF THE EXECUTIVE BRANCH TO REDUCE THE TEXT OF ORAL INTERNATIONAL AGREEMENTS TO WRITING. THE CONFERENCE SUBSTITUTE MERELY CODIFIES SUCH ADMINISTRATIVE PROCEDURE.

6. THE CONFERENCE SUBSTITUTE IS THE SAME AS (2) ABOVE.

7. WITH REGARD TO (3) ABOVE, THE CONFERENCE SUBSTITUTE PROVIDES THAT NO INTERNATIONAL AGREEMENT SHALL BE SIGNED OR OTHERWISE CONCLUDED WITHOUT PRIOR CONSULTATION OF THE SECRETARY OF STATE AND THAT SUCH CONSULTATION MAY ENCOMPASS A CLASS OF AGREEMENTS.

8. THE CONFERENCE SUBSTITUTE IS THE SAME AS (4) AND (5) ABOVE.

9. IT IS THE UNDERSTANDING OF THE COMMITTEE OF CONFERENCE THAT INTELLIGENCE LIAISON AGREEMENTS BETWEEN U.S. INTELLIGENCE AGENCIES AND FOREIGN GOVERNMENTS ARE SUBJECT TO THE OVERSIGHT OF THE INTELLIGENCE COMMITTEES OF THE UNCLASSIFIED

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HOUSE AND SENATE. THEREFORE, THOSE COMMITTEES WILL CONTINUE TO EXAMINE SUCH AGREEMENTS WITHIN THE CONTEXT OF THEIR RESPECTIVE JURISDICTIONS. VANCE

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